

# Proposed Rules

Federal Register

Vol. 86, No. 87

Friday, May 7, 2021

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 1280

[Document No. AMS-LP-19-0093]

RIN 0581-AC06

#### Lamb Promotion, Research, and Information Order; Activity Changes; Comment Period Reopened

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Proposed rule; reopening of comment period.

**SUMMARY:** The Agricultural Marketing Service (AMS) is providing an additional 60 days for public comments on the proposed rule that would amend the Lamb Promotion, Research, and Information Order (Order). During the February 22, 2021, through March 24, 2021, comment period, AMS received two comments requesting additional time to analyze a potential volume threshold that would allow low-volume market agencies to be eligible for flexibilities to the proposed assessment remittance process. Such flexibilities would allow for very small, low-volume market agencies to utilize quarterly or yearly remittances, as opposed to the proposed monthly remittance process. The proposed flexibilities would reduce the regulatory burden for affected market agencies.

**DATES:** The comment period for the proposed rule originally published on October 5, 2020, at 85 FR 62617, is reopened. Comments must be received by July 6, 2021.

**ADDRESSES:** Comments should be posted online at [www.regulations.gov](http://www.regulations.gov). Comments received will be posted without change, including any personal information provided. All comments should reference the docket number AMS-LP-19-0093, the date of publication, and the page number of this issue of the **Federal Register**. Comments may also be sent to Jason Julian, Agricultural Marketing Specialist;

Research and Promotion Division; Livestock and Poultry Program, AMS, USDA; Room 2627-S, STOP 0251, 1400 Independence Avenue SW, Washington, DC 20250-0251. Comments will be made available for public inspection at the above address during regular business hours or via the internet at [www.regulations.gov](http://www.regulations.gov).

#### FOR FURTHER INFORMATION CONTACT:

Jason Julian, Agricultural Marketing Specialist, Research and Promotion Division, Livestock and Poultry Program, AMS, USDA; telephone: (202) 731-2149; or email: [jason.julian@usda.gov](mailto:jason.julian@usda.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background and Proposed Action

AMS proposed revisions to the assessment collection procedures that would require market agencies to collect the full assessment on sales of live lambs, including the first-handler assessment portion, for remittance to the Lamb Promotion, Research, and Information Board. The proposed assessment collection change would only apply to lambs sold through market agencies (e.g., commission merchant, auction market, livestock market). Other modes of sale, such as traditional markets (e.g., first handler purchases from a producer or feeder, independent of a market agency, direct sales) would continue to have assessments remitted through the pass-through collection process.

This document notifies the public of the reopening of the comment period from May 7, 2021 to July 6, 2021. Comments previously submitted during the initial 60-day comment period [October 5, 2020, through December 4, 2020] and the subsequent 30-day reopened comment period [February 22, 2021, through March 24, 2021] need not be resubmitted, as these comments are already incorporated into the public record and will be considered in the final rule.

##### Public Comment Requested

AMS received 11 comments from stakeholders during the initial sixty-day comment period. These comments represent the perspectives of various organizations and individuals within the stakeholder community and provided AMS additional context for decision making.

AMS reopened the comment period to encourage additional input on a topic identified by one commenter during the initial comment period.

The commenter requested that AMS consider allowing flexibility in the remittance of collected assessments by lower-volume or seasonal market agencies. The commenter suggested that requiring smaller market agencies to remit assessments every month, regardless of their sales volume, could be burdensome for those entities with very small volumes. The commenter asked AMS to consider additional flexibility for small market agencies by allowing them to remit accumulated assessments on a quarterly or annual basis. The proposed rule would require that remittances occur by the 15th day of the month following the month in which lambs were purchased for slaughter or export, regardless of sales volume for that month. The commenter suggested such flexibilities for small market agencies could be based on the average head of lamb sold annually, allowing markets below a specific threshold to remit on a quarterly or annual basis.

AMS is again reopening the comment period to encourage additional input on a topic identified by two commenters during the 30-day reopening comment period from February 22, 2021, to March 24, 2021. The two commenters requested additional time to gather and analyze more data to address the questions asked by AMS in the reopened 30-day comment period; hence the purpose of this notice.

In the previous comment period, AMS sought additional information from stakeholders to consider this type of flexibility. AMS is again seeking comments on the following questions:

1. What level or threshold should AMS consider as a low-volume market agency that might be eligible for additional flexibility?
2. Approximately how many market agencies would fit into such a category?
3. How would this type of flexibility reduce regulatory burden for those market agencies?

AMS seeks input on other appropriate thresholds—such as monthly or quarterly sales volume—to identify market agencies that might be eligible for regulatory flexibility regarding assessment remittance under the amended regulations. Any comments

should be supported by data that is clearly quantified and explained.

**Erin Morris,**

*Associate Administrator, Agricultural Marketing Service.*

[FR Doc. 2021-09642 Filed 5-6-21; 8:45 am]

**BILLING CODE P**

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 51

[NRC-2018-0300]

RIN 3150-AK54

### Categorical Exclusions From Environmental Review

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Advance notice of proposed rulemaking; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is publishing an advance notice of proposed rulemaking to obtain input from stakeholders on its plan to amend NRC regulations on categorical exclusions for licensing, regulatory, and administrative actions that individually or cumulatively do not have a significant effect on the human environment. The NRC will consider public comments received on its potential changes and on questions related to categorical exclusions to inform a rulemaking that is planned for publication in fiscal year 2022. The NRC will hold a public meeting during the comment period to facilitate public participation.

**DATES:** Submit comments by July 21, 2021. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received before this date.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Federal Rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2018-0300. Address questions about NRC dockets to Dawn Forder; telephone: 301-415-3407; email: [Dawn.Forder@nrc.gov](mailto:Dawn.Forder@nrc.gov). For technical questions contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Email comments to:* [Rulemaking.Comments@nrc.gov](mailto:Rulemaking.Comments@nrc.gov). If you do not receive an automatic email reply confirming receipt, then contact us at 301-415-1677.

- *Mail comments to:* Secretary, U.S. Nuclear Regulatory Commission,

Washington, DC 20555-0001, ATTN: Rulemakings and Adjudications Staff.

For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

#### FOR FURTHER INFORMATION CONTACT:

Gregory Trussell, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6244, email: [Gregory.Trussell@nrc.gov](mailto:Gregory.Trussell@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Obtaining Information and Submitting Comments

###### A. Obtaining Information

Please refer to Docket ID NRC-2018-0300 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2018-0300.
- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

- *Attention:* The PDR, where you may examine and order copies of public documents, is currently closed. You may submit your request to the PDR via email at [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov) or call 1-800-397-4209 between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays.

###### B. Submitting Comments

Please include Docket ID NRC-2018-0300 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should

inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

## II. Background

The National Environmental Policy Act of 1969 (NEPA) requires Federal agencies to undertake an assessment of the environmental effects of their proposed actions prior to deciding whether to approve or disapprove the proposed action. There are three types of NEPA analyses: An environmental impact statement (EIS), an environmental assessment (EA), or a categorical exclusion. An EA is a concise document that provides sufficient evidence and analysis for determining whether to prepare an EIS or make a finding of no significant impact (FONSI). If an EA supports a FONSI, the environmental review process is complete. If the EA reveals that the proposed action may have a significant effect on the human environment, the Federal agency then prepares an EIS. An EIS documents an agency’s evaluation of the environmental impacts of a major Federal action significantly affecting the quality of the human environment.

A categorical exclusion, by contrast, falls into the category of actions that do not have a significant effect on the human environment, as defined by a Federal agency in its procedures implementing NEPA. If the Federal agency finds that actions in a given category have repeatedly been shown to have no significant effect on the human environment, either individually or cumulatively, then the agency may establish a categorical exclusion for that category of action. Once it has established a categorical exclusion, the agency is not required to prepare an EA or EIS for any action that falls within the scope of the categorical exclusion, unless the agency finds, for any particular action, that there are special (e.g., unique, unusual, or controversial) circumstances that would preclude use of the categorical exclusion.

The regulations in § 51.22 of title 10 of the *Code of Federal Regulations* (10 CFR), “Criterion for categorical exclusion; identification of licensing and regulatory actions eligible for categorical exclusion or otherwise not requiring environmental review,” specify actions that the NRC has determined not to have significant